

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Esther Salas  
v. : 11-7026  
JUAN POLANCO  
JONATHAN CAPPACIO  
a/k/a "HARRY" : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by David L. Foster, Assistant U.S. Attorney), and defendants Juan Polanco (by Curtis Laforge, Esq.), Jonathan Cappacio aka "Harry" (by Vincent Scoca, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and one continuance having previously been granted by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), so that the parties could attempt to resolve the matter and thereby avoid a possible trial, and the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary; and

(2) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 2 day of May, 2011,

ORDERED that this action be, and it hereby is, continued for a period of 60 days from May 2, 2011; and it is further

ORDERED that the period from May 2, 2011 through 1, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.

  
\_\_\_\_\_  
HON. Esther Salas  
United States Magistrate Judge

  
\_\_\_\_\_  
David L. Foster  
Assistant U.S. Attorney

  
\_\_\_\_\_  
Curtis Laforge, Esq.  
Counsel for defendant Juan Polanco